

1207 #12 3622
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TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
01-023

Application Of: **ALDERUCCI et al.**

Serial No.
09/933,588

Filing Date
August 21, 2001

Examiner
Yehdega Retta

Group Art Unit
3622

Title: **METHOD AND APPARATUS FOR PROVIDING A SUPPLEMENTARY PRODUCT SALE AT A POINT-OF-SALE TERMINAL**

TO THE COMMISSIONER FOR PATENTS:

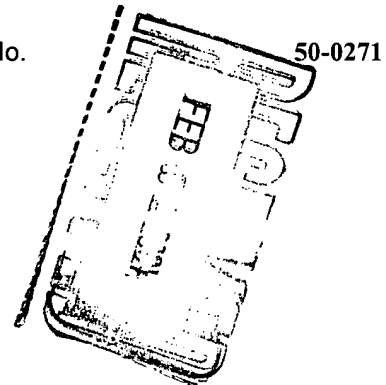
Transmitted herewith is:

**Supplemental Information Disclosure Statement (5 pp.);
PTO Form-1449 (3 pp.) and references cited therein (26); and
Return Receipt Postcard.**

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.
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Signature

Dated: **January 9, 2004**

Dean P. Alderucci
Attorney for Applicants
PTO Registration No. 40,484
(203) 461-7337/phone
(203) 461-7300/fax

CUSTOMER NO. 22927
Alderucci@walkerdigital.com

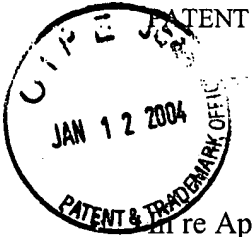
I certify that this document and fee is being deposited on **January 9, 2004** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Michael D. Brinton

Typed or Printed Name of Person Mailing Correspondence

CC:



Application Serial No.: 09/933,588
Attorney Docket No.: 01-023

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ALDERUCCI et al.

Serial No.: 09/933,588

Filing Date: August 21, 2001

For: METHOD AND APPARATUS FOR
PROVIDING A SUPPLEMENTARY
PRODUCT SALE AT A POINT-OF-
SALE TERMINAL

) Examiner: Yehdega Retta
)
) Group Art Unit: 3622
)
) Attorney Docket No: 01-023
)
) CUSTOMER NO.: 22927
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as priority mail in an envelope with sufficient postage and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 01/09/04 By:


Michael D. Brinton

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

- [X] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
5. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;

☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.

9. ☐ I hereby certify:

☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ Please accept payment of the fees due as indicated below:

☐ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

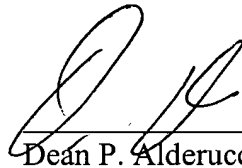
☐ The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).

11. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

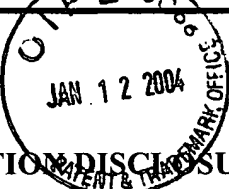
12. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

Respectfully submitted,

January 9, 2004
Date



Dean P. Alderucci
Attorney for Applicants
Registration No. 40,484
Alderucci@WalkerDigital.com
Walker Digital, LLC
(203) 461-7337/phone
(203) 461-7300/fax

 INFORMATION DISCLOSURE CITATION	Docket Number 01-023	Serial Number 09/933,588
	Applicants ALDERUCCI et al.	
	Filing Date August 21, 2001	Group Art Unit 2161

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	A	5,053,957	10/01/91	Suzuki	364	405	
	B	5,327,508	07/05/94	Deaton et al.	382	7	
	C	5,502,636	03/26/96	Clarke	364	401	
	D	5,504,675	04/02/96	Cragun et al.	364	401	
	E	5,526,257	06/11/96	Lerner	364	401	
	F	5,576,951	11/19/96	Lockwood	395	227	
	G	5,583,763	12/10/96	Atcheson et al.	364	551.01	
	H	5,592,560	01/07/97	Deaton et al.	382	100	
	I	5,710,887	01/20/98	Chelliah et al.	395	226	
	J	5,890,718	04/06/99	Byon	273	459	
	K	6,029,139	02/22/00	Cunningham et al.	705	10	

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
						Yes	No
L	EP 0 085 546 A2	08/10/83	Europe				
M	EP 0 109 189 A1	05/23/84	Europe				

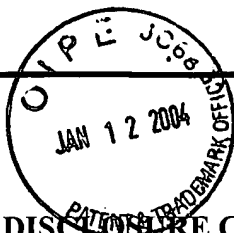
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE CITATION**

Docket Number

01-023

Serial Number

09/933,588

Applicants

ALDERUCCI et al.

Filing Date

August 21, 2001

Group Art Unit

2161

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
	N	US 6,253,188 B1	06/26/01	Witek et al.	705	14	
	O	US 6,463,585 B1	10/08/02	Hendricks et al.	725	35	
	P	US 6,484,149 B1	11/19/02	Jammes et al.	705	26	
	Q	US 6,484,158 B1	11/19/02	Johnson et al.	707	2	
	R	US 6,515,680 B1	02/04/03	Hendricks et al.	345	716	
	S	US 2003/0037041 A1	02/20/03	Hertz	707	1	
	T	US 2003/0120579 A1	06/26/03	Carter, III	705	36	
	U	US 2003/0130904 A1	07/10/03	Katz et al.	705	26	

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FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No
	V	WO 96/36926	11/21/96	PCT				
	W	WO 97/28510	08/07/97	PCT				

OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

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FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No
	X	WO 99/19809	04/22/99	PCT				
	Y	WO 99/46706	09/16/99	PCT				

OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

	Z	Glickman, Jeff, "10 Infomercial facts you need to know. (supplement: The Infomercial – Special Sourcebook Issue)", March 8, 1993, ADWEEK, Eastern Edition, Vol. 34, No. 10, ps28(5).
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EXAMINER

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